

Interview

On August 10, 2010 Examiner Wright conducted a telephone interview with applicants counsel. Pending claim 1 and the Hamid and Larsson references were discussed. Examiner Wright was helpful in clarifying to applicant that the contents of the open portion and secure portion should be positively recited along with how they are combined to distinguish over the proposed combination of Hamid and Larsson. No agreement was reached.

Remarks

Claims 1, 2, 3, 5, 7 through 25, 27 and 29 through 43 and 45 through 61 remain pending in the application. Claims 1, 24, 38 and 49 are amended.

Claims 1, 2, 3, 5, 7 through 25, 27 and 29 through 37 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Hamid, Method and Apparatus for Hashing Data, U.S. Patent 7,274,804 (Sep. 25, 2007), in view of Larsson, et al., Method and Device for Positioning a Finger when Verifying a Person's Identity, U.S. Patent Publication 2004/0215615 (Oct. 28, 2004). Claims 1 and 24 are amended to positively clarify how the open portion and the secure portion of the biometric identification template are combined to authenticate a genuine user. This amendment along with the limitation that the open portion of the biometric identification template is insufficient to construct a fake template that would allow an imposter to be incorrectly authenticated clearly distinguish over the Examiner's proposed combination of Hamid and Larsson. Neither Hamid or Larsson teach or suggest that an open portion of a user's biometric identification template is insufficient to construct a fake template that would allow an imposter to be incorrectly authenticated. This rejection should be withdrawn.

Claims 38 through 43 and 45 through 61 stand rejected under 35 USC § 103(a) as unpatentable over Studd, Method and System for Executing Applications on a Mobile Device, U.S. Patent Application Publication 2004/0122774 (Jun. 24, 2004) in view of Hamid and further in view of Larsson. Claims 38 and 49 are

amended to positively clarify how the open portion and the secure portion of the biometric identification template are combined to authenticate a genuine user. This amendment along with the limitation that the open portion of the biometric identification template is insufficient to construct a fake template that would allow an imposter to be incorrectly authenticated clearly distinguish over the Examiner's proposed combination of Hamid and Larsson as discussed above. Neither Hamid or Larsson teach or suggest that an open portion of a user's biometric identification template is insufficient to construct a fake template that would allow an imposter to be incorrectly authenticated. The Studd reference does not teach or suggest the missing claim limitations and thus, the rejection of claims 38 through 43 and 45 through 61 should be withdrawn.

Conclusion

This response has addressed all of the Examiner's grounds for rejection. The rejections based on prior art have been traversed. Reconsideration of the rejections and allowance of the claims is requested.

Date: September 8, 2010

By: /Paul J. Backofen/
Paul J. Backofen, Esq.
Reg. No. 42278